



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of: Weers et al.                     | Group Art Unit: 1617                            |
| Application No: 09/851,226                             | Examiner: HUI, San Ming Jr.                     |
| Confirmation No: 4017                                  |   |
| Filed: May 8, 2001                                     | Attorney Docket No:<br>NK.73.US                 |
| Title: PHOSPHOLIPID-BASED<br>POWDERS FOR DRUG DELIVERY | September 22, 2005<br>San Francisco, California |

### AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**VIA FACSIMILE**  
(571) 273-8300

Examiner Hui:

This communication is in response to the Office Communication mailed on March 22, 2005, and is being filed within six months thereof with a request for a three-month extension of time.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 10-02588 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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#### CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office at (571) 273-8300 on the date shown below.

By   
Christy Hennigan

Date: September 22, 2005